

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9443 of 2025

Md. Sultan Ahmad, Son of Late Md. Alauddin, Resident of village- Rajpur,
P.S. Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Special Director, Secondary Education, Education Department,
Government of Bihar, Patna
4. The Joint Secretary, Education Department, Government of Bihar, Patna
5. The District Education Officer, Supaul District Supaul.
6. The District Program Officer (Establishment) Supaul, District- Supaul.
7. The District Program Officer (Secondary Education), Supaul, District-
Supaul.
8. The Bihar State Madarsa Education Board, Patna Through Secretary Apex
Tower, Harron Nagar Colony Sector-2, P.S.- Phulwari Sharif, Patna
9. The Secretary, Madarsa Education Board, Patna, Through Secretary, Apex
Tower, Harron Nagar Colony Sector-2, P.S.- Phulwari Sharif, Patna
10. The Secretary, Madarsa Hanifa Majeedia Rajpur, Supaul, Madar No 250.
11. The Head Maulvi Madarsa Hanifa Majidia Rajpur, District- Supaul

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Musowir, Advocate
For the State	:	Mr. Mr. P. K. Shahi, Advocate General
For the Madarsa Board	:	Md. Aslam Ansari, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-02-2026

This Civil Writ Jurisdiction Case has been filed by
the petitioner Md. Sultan Ahmad seeking for following reliefs:-

*“That, by this writ petition, the
petitioner would like to challenge the validity
of Rule-6 issued under the signature of the
Respondents no. 4 and contained in his*



Resolution no. 970 dated 31.8.2013 and declare its ultra- virus, whereby and where under the instruction has been issued that the contribution will be paid on the basis of calculation of fixed salary to those teachers in place of regular pay-scale, who are appointed against the vacancy on or after 15.2.2011 by the State Government.

Alternatively to declare that the Resolution no. 970 dated 31.08.2013 could not take its retrospective effect i.e. with effect from 15.2.2011 for debarring the appointee against the vacancy on or after 15.2.2011 though the impugned Resolution itself is effective from 01.04.2013 according to the Respondents themselves.

The petitioner would further like to pray before this Hon'ble Court that a writ of MANDAMUS be issued against the Respondents."

2. During course of argument, learned counsel for the petitioner submits that similarly situated persons approached this Court in CWJC No. 985 of 2015 so also in CWJC No. 4517 of 2021 and their cases were disposed of vide order dated 27.03.2019 and 25.04.2023 respectively, they have got the necessary reliefs and in view of such order passed in the identical matters, the petitioner is entitled to get the relief.

3. When we posed a pertinent question to the



learned counsel for the petitioner as to whether any representation has been made by the petitioner before the concerned authority for ventilating his grievance basing on the orders passed by this Court in the aforesaid writ petitions, the answer was in negative.

4. Learned counsel for the petitioner, however, submits that the liberty may be granted to the petitioner to approach the concerned authority by filing representation and also annexing the copies of the orders passed in the aforesaid two writ petitions.

5. In view of such submission, the writ petition is disposed of giving liberty to the petitioner to approach the concerned authority for ventilating his grievance.

6. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.02.2026
Transmission Date	NA

